P 61E

Preserved

√ Preserve

App. F. IX-4

1929. (VP)

File No. 65-29

Serial Nos. 1

Previous References
VP 48-28(1-2)

Later References
Legis 34-30-1 6

General and Revenue Secretariat.

Serial Nos. one only

Part B for July '31

SUBJECT.

Amendment to the Village Panchayet Regulation of 1926 so as to provide for the recovery of money due to Panchayets as arrears of Land Revenue and issue of such warrants for recovery of accounts, records etc.

---

final orders in file Legis 5-30-1

L 3499

C

App. F. III—2]

General and Revenue Secretariat. | File No. 65 of 1929

Serial No.	
1	Lr. no. C 2010/29-30 dated 2/1/30 from the Revenue Commr in Mysore stating that the Village Panchayet Regulation may be suitably amended so as to provide for safe-guarding the accounts of Village Panchayets and to get them in times of need by force from the Chairman of Panchayets. The Revenue Commr states that the Chairman of Bhemanahalli village, Puttaswamigowda who was removed from office has not handed over the records, and that it is reported by the Amildar that it is not possible to get the same from him and has accordingly sought for instructions as to whether a search warrant can be issued. 2) There is no provision under the existing V.P. Rgn, under which the records can be taken from the Panchayet, or Chairman by force. 3) The Revenue Commr therefore suggests that the V.P. Rgn may be amended by providing sections similar to Sec 24 & 25 of the Land Revenue Code or by inserting a general section to the effect that for all such matters

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

L 349 (2

App. F III—2]

General and Revenue Secretariat. | File No. 15 of 1929.

Serial No.

not duly provided for in the V.P. Agn the provisions of Land Revenue Code as far as it is consistent with the V.P. Agn shall apply.

4) Submitted for orders. The Law Secy may be consulted:

SS 6.1.30. AJ

(Ch Reg) 7/1/30

CHIEF SECRETARY. 8 JAN. 1930

5) I remember this question was discussed about a year ago. Refer

Rev 9/1

6) V.P. file 48-28 88 1/2 relating to the subject is put up. ~~May be H.S. for Rep.~~ ~~reply given Rep.~~

per HS SS Rep 13/1

SS AJ 13.1.30.

(Ch Reg) 15/1

CHIEF SECRETARY. 15 JAN. 1930

7 A reply may be put up on the lines settled in the precedents

Rev 18/1

8) Submitted with a draft for approval

SS 18/1.30

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

Serial No.

9. A reply on the lines settled in V.P. 48-28 has been prepared and put up. But it does not appear to meet the requirements of the case now reported by the Revenue Commissioner. It is doubtful if the power of control given under Section 48 can be construed to extend to papers in the possession of an ex-chairman. Section 54 is not also applicable to such cases.

10. In the previous case, the Chairman on behalf of the Panchayet would not allow the Sanbhogue to have access to the accounts. In the present case it is the ex-Chairman that has not handed over the papers. Under Rule 20 of the rules issued under Government Notification No.L. 3606 x L.B. 26-26-101 dated 3rd December 1926, the Chairman should be in charge of the records. The new Chairman may issue a notice to the ex-Chairman to send the records in his possession -- within a date to be specified therein and stating that in case he refuses to comply with the notice, he will be prosecuted under section 62 of the Village Panchayet Regulation. The ex-chairman will by retaining the records in his possession be guilty of the offence of preventing or trying to prevent the Chairman from doing things which he is empowered or required to do by virtue of the Village Panchayet Regulation and liable to be punished under Section 62 of the Regulation.

Page 11 of the V. P. Manual

(11) As section 65 of the Regulation gives power to the Government to frame rules to carry out all or any of the purposes of the Regulation, a rule may perhaps be framed as follows and under Section 63 (1) (d) it may be notified that breaches of

Note—Contn. Sheet

3499

App. F. III—2]

General and Revenue Secretariat | File No. 65 of 1929.

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breaches of the rule xxxx will be punishable under Section 63:-

"Every person in possession of moneys, account records and other property appertaining to Village Panchayets shall, on ceasing to hold the office by -- virtue of which such properties came into his possession, make over the same forthwith to the Chairman of the Panchayet or to the Amildar of the Taluk concerned. Every person knowing where any such property is concealed shall give information of the same to the Chairman of the Taluk or the Amildar of the Taluk -- concerned".

RS 21/1/30

12) The Law Dept may be consulted about this. But it seems to me that notwithstanding all these, it would be useful to have a provision for the production of papers.

A

RS 22/1

CHIEF SECRETARY, 24 JAN 1930

13) A — A suitable addition to the Rules may be suggested

RS 28/1

mod. Sec 65: (3) give U.P. Govt time before Rules have to be published in the Gazette, before they come into effect. Draft is submitted for approval

RS 28.1.30.

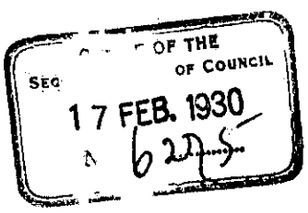
Note—Contn. Sheet

WD 066—GPB—30,000—26-7-29

General and Revenue Secretariat. V.P File No. 65 of 192 9.

Serial No.

14) A draft amendment to the Regn is sent for consideration



15) If approved, the Legislative Dept will be requested to scrutinise the proposed amendments

16) Law Dept to favour of scrutiny & they early return of draft

17) The new sections proposed would be somewhat out of place in Ch. III. after the sections relating to the powers of village Panchayets. They may be added after S-64 in in Ch. VI.

18) Requisitions may be issued by Munsifs and arrest and search warrants by the Dy. Comrs or Asst Comrs.

Sd/- Typed as directed

NOTE—Contn. sheet.

WD 066—GPB—80,000—26-7-29

Preserved

p 21 E.

App. F. IX-4

1929 (V. P.)

File No. 50-29

Serial Nos. 3, 4, 5, 6, 7 & 8

Previous References
L.P. 50-29 SC 1-2
7 & 8
25-29 - 11-14
45-28 - 6.
Later References

General and Revenue Secretariat.

Serial Nos. 6

Part B for Apl. 30

SUBJECT.

Expenditure incurred in connection with the opening of a Village Panchayet Court at the Dasara exhibition held at Mysore

Sl 87 to the Rev Comr & Comptr
No L. 7759-60 Dy 28-4-30.
Sanctions the extra expenditure incurred in this connection.

Serial No.

19) There is no need for repeating in this Bill what would be an offence under the 1st para of s. 176 I.P.C.

20) A revised draft is put up for consideration.

(Sd. Secy) 6/3/30

DEWAN'S OFFICE. 1 MAR. 1930 No. 3949

6816/6/3

21) The revised draft may be approved. The only change I would propose is the omission of the words " or the Assistant Commissioner in charge of the Sub Division " in clause 2. These words are unnecessary, as under Section 44, all the powers of the Dy. Comm (with a few exceptions) are exercisable by the Asst Comm in charge of a Taluk.

(Sd.) Member 6/3

22) I agree. The repeal of the Madras Act may also be omitted in clause 3. 6/3

7.3.30

Second Member 7/3

Dewan ✓ 7/3

23)

6878/18/3

L.S. (Sd.) Chief Secretary to Govt. Home Member 18/3.

5782/19/3

Note—Contn. Sheet

WD 01684—GPB—30,000—20-4-29

19-3-30 (Sd.) 19/3/30

19/3/30 Hon. Member

19/3

3499
L.S.C.

App. F.III—2]

7

General and Revenue Secretariat | File No. | of 192

DEWAN'S OFFICE
MAR. 1930
No. 4107

Serial No.

In favour of a fresh note
Legislative Council
19/3/30

OFFICE OF THE SECRETARY TO GOVERNMENT LEGISLATIVE COUNCIL
20 MAR. 1930
No. 7116

Final note signed by the member is placed on the file

Subject:-

25/3/30

Bill further to amend the Mysore Village Panchayet Regulation 1926.

D. S. N. Submitted.

Dewan)

25/3

26.3.30

Note--Contn. Sheet

Final Note by the Second Member of Council.

Subject:— Bill further to amend the Mysore Village Panchayet Regulation, 1926.

It has been brought to the notice of Government that the Chairman of a certain Village Panchayet, who has been removed from his office, has failed to hand over the Panchayet accounts etc. in spite of pressure brought to bear on him and that there is no provision under the Village Panchayet Regulation under which records can be taken from a Panchayet or Chairman by force. It is therefore desirable to provide for such contingencies in the Village Panchayet Regulation.

The Regulation has thus to be amended by the addition of a new Section 61 A, in respect of the delivery of money, documents etc. belonging to Village Panchayets, the arrest and confinement in Jail not exceeding one month for non-delivery of such and the recovery of money due to Panchayets as arrears of land revenue and issue of search warrants for recovery of accounts, records and property etc.

A draft bill to amend the Mysore Village Panchayet Regulation, 1926, has accordingly been prepared.

The Bill has been approved by the Dewan and other Members of Council.

I solicit His Highness' gracious permission to place the Bill before the Representative Assembly and introduce it in the Legislative Council in due course.

C S Balasundaram Jr

MEMBER OF COUNCIL.

Bangalore,
24th March 1930.

L3499

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Bill further to amend the Mysore Village Panchayet Regulation, 1926.

440
26-3-30

434

Order.

KRMS
29/3/30

Cm
M
31-3-30

MM 1/4

General and Revenue Secretariat

C 265

Bill further to amend the Mysore Village Panchayet Regulation, 1926.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

5908/24

FIRST MEMBER OF COUNCIL. 3/4/27

7414/24

SECOND MEMBER OF COUNCIL. 2/4

9512/24

THIRD MEMBER OF COUNCIL. 4/4/27

A/S. (L.S.G.).

NOTE.—Contn. sheet. E233

4/4

Copy of the draft Bill

3499

App. F. III—2]

General and Revenue Secretariat | VP File No. 65 of 1929

Serial No.

D.

The file may be sent to R.A. Section for taking ~~the~~ Copies of the bill and the statement of object and reasons placed below and returning the file.

HS 9.4.30 AS 14/4/30

HMeyer 14/4

Rec'd 14/4

R. A Sect'n (not accepted) AS 14/4

Submitted.

The file may be sent to R.A. section about the middle of May next when along with other statements of Govt business that may be ordered to be placed before the June Session of the R.A. the circular calling for the statement of Govt business before the ensuing Session is sent to us from the R.A. section & will come back by

22/4 BR 22/4

(Asst. to Secy.)

Where is the harm in taking a copy now? & returning the file?

2 copies of the statement taken 22/4

the file returned to R. & S.G. Pr.

23/4 BR 23/4

R.S.G. Pr. with compts.

Submd for information — Put up when a statement is called for

24/4

Mr S.S. 24.4

Mr. S.N.A. BR 22/4

Found with the Diary slip: Mr S N A BR 21/4

OFFICE OF THE SECRETARY Mr S N A 15. APR. 1930 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL.

Note—Contn. Sheet

4034/29 3499

App. F. III—2]

General and Revenue Secretariat | File No. 65 of 1929.

Serial No.

The file may now be sent to the Legislature Section for favour taking further action.

14/5

14/5

Bill and statement are flagged A & B respectively. If approved copies will be got typed and sent to R. & L.C. Office.

15/5

15/5

Submitted. A bill & the statements have been received from time, one from L. & J. Branch & again from the Protection Branch. If approved, the statements & the bill be sent on 17/5/29 from the Protection Br. with the sent to Press and Translation Bureau

15/5

21/5 Asstt. Secy, L. & J. G. with Compliments for favour of stating whether the copy rec'd from the Prot. Branch may be taken as the authorized copy in preference to the one rec'd from the L. & J. G. Branch on 14/4.

21/5

L. & J. G.) The copy received from the Protection Branch may be taken as

10 copies typed (R. & L.C. Office) with typed copies

15/5

OF THE SECRETARY OF STATE FOR INDIA 17 MAY 1930 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL.

Note—Contn. Sheet

WD Q1684—GPB—30,000—20-4-29

4034/29 D 1065 3499

General and Revenue Secretariat | File No. | App. F. III—2] of 192

Serial No.

OFFICE OF THE SECRETARY
21. MAY 1930
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL.

[illegible] 21/5/30 O.A. Beck)

21/5.

Submitted to the Hon'ble the Secretary for favour of perusal.

21/5

22/5

21/5

3 copies of the S.O. Papers taken on the file returned to Political Branch (Proc. Br.)

22/5

Action has been taken separately by consolidation with papers 5-30

Papers may be recorded if approved

GEN. REV. SECTT.
8 JULY
L. & G. BRANCH.

7.7.31

Note—Contn. Sheet

WD 01684—GPB—30,000—20-4-29

No. C. 2010/29-30.

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

Dated, Bangalore, 28th December *192* 9.

FROM Rajakaryapravina
P. G. D'SOUZA, Esq., B.A., B.L.,
Revenue Commissioner in Mysore.

GEN. 3499 C.T.
- 4 JAN. 1930
L. S. S. BRANCH

To

The Chief Secretary to the Government
of His Highness the Maharaja of Mysore,
Bangalore.

CHIEF SECRETARY
3 JAN. 1930

SIR,

In forwarding herewith a copy of letter No. D2.1599-29 dated 21/22nd November 1929 from the Deputy Commissioner, Mysore District, stating that Chairman Puttasamigowda of Cheeranahalli Village Panchayet, Yedatore Taluk, who was removed from his office has not handed over the Panchayet accounts etc., inspite of pressure and that there is no provision in the Village Panchayet Regulation to get them by force and soliciting instructions whether a search warrant may be issued under Section 25 of the Land Revenue Code, I have the honour to state that it does not seem possible to take action under the provisions of the Land Revenue Code in the absence of a provision in the Village Panchayet Regulation laying down that for matters not provided for therein, the provision of the Land Revenue Code should be followed. The need of Deputy Commissioner's having powers under Village Panchayet Regulation similar to those contained in Sections 24 and 25 of the Land Revenue Code seems however urgent to safeguard the accounts etc., of Village Panchayets considering the fact that the Chairmen like shanbhogs, have these accounts in their personal custody, having no separate establishment to maintain them as in the case of Municipalities. The Village Panchayet Regulation will have therefore to be suitably amended early, either by providing Sections similar to the two quoted above or by inserting a general Section to the effect that for all other matters not ~~only~~ duly provided for in the Village Panchayet Regulation the provisions of Land Revenue Code should be followed as far as it is consistant with

with the Village Panchayet Regulation.

In the present case however, the Deputy Commissioner will have only to be requested to put pressure on Puttasami Gowda and secure the accounts etc.

I have the honour to be,
Sir,
Your most obedient servant,

Yuarasinga Rau

Assistant Commissioner,
For Revenue Commissioner,
Absent on leave.

K.V.

General and Revenue Secretariat. | V.I File No. 50 of 1929.

Serial No.

3 Letter No. C.L.12/29-30 dated 24/29.11.29 from the Rev Commr, Mysore stating that a sum of Rs 1400 over and above the sanctioned grant in connection with the organisation of a Village Panchayet Council at the Basava Exhibition had to be incurred by the Dist. Economic Superb Bangalore and requesting sanction to an additional grant of Rs 1400 to be met out of Rural Reconstruction grants in the current years Budget.

For the Village Panchayet work Rs 3000 and Rs 500 were sanctioned from Rural Reconstruction grant and Rs 500 from the Economic grant respectively in G.O. No. D 2752-66/29 C 16.29.2 of 12.9.29.

2 An additional grant of Rs 800/- was sanctioned to be met out of Rural Reconstruction grant in G.O. No. L2272-74 VP 50.29.2 dated 24.9.29.

3 The circumstances under which further expenditure of Rs 1400/- was incurred and sanction is sought for is not explained in the letter of the Dist. Econ Superintendent.

It is stated by the Rev Commr that a bill will be made to meet

9/

NOTE—Contn. sheet.

Letter No. D2.1599-29 dated 22nd November 1929 from the Deputy Commissioner, Mysore District, to the Revenue Commissioner in Mysore, Bangalore.

--

Issue of a search warrant under Section 25 of the Land Revenue Code for the recovery of Village Panchayet papers.

--

I have the honour to state that the Chairman, Puttasamigowda, Cheeranahalli village panchayet, Yedatore Taluk, was removed from the Chairmanship on the ground that he fabricated the Panchayet Accounts. But he has not handed over the panchayet registers, accounts and papers in spite of pressure. The Amildar has reported that it is not easy to get these papers from him and wanted a search warrant from the Sub Division Officer, who has sought instructions as to whether a search warrant can be issued.

2. The only provision bearing on this point in the village panchayet Regulation is Section 49 (1) (b) which empowers the Deputy Commissioner and the Amildar to call for and inspect any document which may be in the possession or under the control of a panchayet. The course of action in case of disobedience of an order is not indicated anywhere.

3. In these circumstances, I have the honour to request you to be so good as to instruct me whether a search warrant under Section 25 of the Land Revenue Code may be issued in this case.

"Copy"

Narasinga Rao.

For Revenue Commissioner.

K.V.

Statement of the general principles of a Bill to provide for the recovery of money, accounts, records or other property appertaining to Panchayets from Panchayetdars or Chairmen.

The Mysore Village Panchayet Regulation does not contain provision for the recovery of money, accounts, records or other property appertaining to Panchayets from Panchayetdars or Chairmen who do not pay up the moneys or deliver up the papers when occasion might -- require them to do so. The necessity for such a provision has been brought to the notice of Government. The Bill further to amend the Village Panchayet Regulation on the lines of Sections 24 and 25 of the Land Revenue Code and Section 176 of the Indian Penal Code is placed before the Representative Assembly for an expression of their views.

Copy

A Bill further to amend the Mysore Village Panchayet Regulation, 1926.

PREAMBLE. Whereas it is expedient further to amend the Mysore Village Panchayet Regulation, 1926; It is hereby enacted as follows:-

After Section 61 of the Regulation the following new sections shall be ~~inserted~~ inserted:-

Delivery of money, document, etc., belonging to Village Panchayets.

61 A (1) Every person in possession of moneys, accounts, records or other property appertaining to a Village Panchayet shall, on the requisition in writing of the Amildar forthwith hand over such moneys or deliver up such accounts, records or other property to the Chairman of the Panchayet or other person authorised in the requisition to receive the same.

Arrest and confinement in Jail for non-delivery of money etc.

(2) If any such person fails, without sufficient cause, to comply with the requisition made as aforesaid, the Deputy Commissioner of the District may cause him to be apprehended and may issue a warrant in the form of Schedule A authorising his confinement in the Civil Jail till he discharges the moneys or delivers up the accounts, records or other property demanded from him;

Confinement not to exceed one month.

Provided that no person shall be detained in confinement by virtue of such warrant for a ~~M~~/ period longer than one calendar month.

Recovery of money due to Panchayets as arrears of land Revenue. Issue of search warrants records and property.

(3) The Deputy Commissioner of the District may also take proceedings to recover any money due by such person in the same manner and subject to the same rules as are laid down in the Mysore Land Revenue Code, 1886, for the recovery of arrears of land revenue from defaulters; and, for the purpose of recovering the accounts, records or other property appertaining to the Village Panchayet, may

issue a search warrant and exercise all such powers with respect thereto as may be lawfully exercised by a Magistrate under the provisions of Chapter VII of the Code of Criminal Procedure, 1904.

Persons knowing where such moneys etc., are concealed bound to give information.

(4) Every person knowing where any moneys, accounts records or other property appertaining to a Village Panchayet are concealed shall be bound to give information of the same to the Amildar.

Schedule. A.

Form of warrant to be issued by the Deputy Commissioner under Section 61 A.

(S E A L.)

To

The Officer in charge of the Civil Jail at .....
.....whereas A.B. of ..... was on the .....day of .....19..... ordered by .....to (here enter the substance of the demand made) and whereas the said A.B. has neglected to comply with the said order and it has therefore been directed under provisions sub-section (2) of Section 61.A. of the Regulation, that he be imprisoned in the Civil Jail until he obey the said order or until he obtain his discharge under the provisions of the proviso to the said sub-section; you are hereby required to receive the said A.B. into the Jail under your charge and to carry the aforesaid order into execution according to Law.

Dated .....day of 19.. Signature.

Statement of objects and reasons.

The Mysore Village Panchayet Regulation does not contain provision for the recovery of money, accounts, records or other property appertaining to Panchayets from Panchayetdars or Chairman who do not pay up the moneys or deliver up the papers when occasion might require them to do so. The necessity for such a provision has been brought to the notice of Government. It is therefore proposed to amend the Village Panchayet Regulation on the lines of Sections 24 and 25 of the Land Revenue Code and Section 176 of the Indian Penal Code.

Received with D 3499
VP05-29

approved by H H
for being placed before the R A

Statement of the general principles of a Bill to provide for the recovery of money, accounts, records or other property appertaining to Panchayets from Panchayetdars or Chairmen.

The Mysore Village Panchayet Regulation does not contain provision for the recovery of money, accounts, records or other property appertaining to Panchayets from Panchayetdars or Chairmen who do not pay up the moneys or deliver up the papers when occasion might -- require them to do so. The necessity for such a provision has been brought to the notice of Government. The Bill further to amend the Village Panchayet Regulation on the lines of Se ctions 24 and 25 of the Land Revenue Code and Section 176 of the Indian Penal Code is placed before the Representative Assembly for an expression of their views.

14/4

A Bill further to amend the Mysore Village Panchayet Regulation, 1926.

PREAMBLE. Whereas it is expedient further to amend the Mysore Village Panchayet Regulation, 1926; It is hereby enacted as follows:-

After Section 61 of the Regulation the following new sections shall be ~~inserted~~ inserted:-

Delivery of money, document, etc., belonging to Village Panchayets.

61 A (1) Every person in possession of moneys, accounts, records or other property appertaining to a Village Panchayet shall, on the requisition in writing of the Amildar, forthwith, hand over such moneys or deliver up such accounts, records or other property to the Chairman of the Panchayet or other person authorised in the requisition to recive the same.

Arrest and confinement in Jail for non-delivery of money etc.

(2) If any such person fails, without sufficient cause, to comply with the requisition made as aforesaid, the Deputy Commissioner of the District may cause him to be apprehended and may issue a warrant in the form of Schedule A authorising his confinement in the Civil Jail till he discharges the moneys or delivers up the accounts, records or other property demanded from him;

Confinement not to exceed one month.

Provided that no person shall be detained in confinement by virtue of such warrant for a ~~p~~/ period longer than one calendar month.

Recovery of money due to Panchayets as arrears of land Revenue. Issue of search warrants records and property.

(3) The Deputy Commissioner of the District may also take proceedings to recover any money due by such person in the same manner and subject to the same rules as are laid down in the Mysore Land Revenue Code, 1888, for the recovery of arrears of land revenue from defaulters; and, for the purpos of recovering the accounts, records or other property appeartaining to the Village Panchayet, may

Schedule. A.

Form of warrant to be issued by the Deputy Commissioner under Section 61 A.

(S E A L.)

To

The Officer in charge of the Civil Jail at .....
.....whereas A.B. of ..... was on the .....day of .....19..... ordered by .....to (here enter the substance of the demand made) and whereas the said A.B. has neglected to comply with the said order and it has therefore been directed under provisions of sub-section (2) of Section 61.A. of the Regulation, that he be imprisoned in the Civil Jail until he obey the said order or until he obtain his discharge under the provisions of the proviso to the said sub-section; you are hereby required to receive the said A.B. into the Jail under your charge and to carry the aforesaid order into execution according to Law.

Dated .....day of 19.. Signature.

"Copy"

53
914

Revised draft

A Bill further to amend the Mysore Village Panchayet Regulation, 1926.

Preamble.

Whereas it is expedient further to amend the Mysore Village Panchayet Regulation, 1926; It is hereby enacted as follows:-

After Section 61 of the Regulation the following new sections shall be inserted:-

Delivery of money, document, etc., belonging to Village Panchayets.

61 A (1) Every person in possession of moneys, accounts, records or other property appertaining to a Village Panchayet shall, on the requisition in writing of the Amildar ~~or Deputy Amildar, as the case may be,~~ forthwith hand over such moneys or deliver up such accounts, records or other property to the Chairman of the Panchayet or other person authorised in the requisition to receive the same.

Arrest and confinement in jail for non-delivery of money etc.,

(2) If any such person fails, without sufficient cause, to comply with the requisition made as aforesaid, the Deputy Commissioner of the District [~~or the Assistant Commissioner in charge of the Sub-Division~~] may cause him to be apprehended and may [~~send him with~~] a warrant in the form of Schedule A [~~to be confined~~] in the Civil Jail till he discharges the moneys or delivers up the accounts, records or other property demanded from him:

Confinement not to exceed one month.

Provided that no person shall be detained in confinement by virtue of such warrant for a period longer than one calendar month.

Recovery of money due to panchayets as arrears of land Revenue. Issue of search warrants for recovery of accounts, records and property.

(3) The Deputy Commissioner of the District ~~or the Assistant Commissioner in charge of the Sub-Division~~ may also take proceedings to recover any money due by such person in the same manner and subject to the same

App. F. III—21

General and Revenue Secretariat. GP File No. 57 of 1929.

Serial No.

this additional expenditure by the sale of the 700 Wall posters at a cost of Rs. 1-8-0 to the Village Panchayets. And it proposes that the grant may be treated as an advance and the amounts realised out of the realisations from the sale of Wall posters as far as possible submitted for orders.

VS 5.12.29. 5 Financial Secy may perhaps be consulted. The Committee does not seem objectionable. The Revenue recommendation may perhaps be sanctioned. The expenditure has been incurred with the approval of the Govt.

(Illegible) 6) DD 8/12

7) What the amount now available under Rural Reconstruction — Contingencies

MM 16/12

8) As per G.O. no. L 835-5-3 VS 26-28-3 dated 26/7/28, it is the Revenue Commissioner that distributes the grant amount provided under Rural Reconstruction on account of "Contingencies" (or) assignment to the Village Panchayets.

SECRETARY. 9 DEC. 1929

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

rules as are laid down in the Mysore Land Revenue Code, 1888, for the recovery of arrears of land revenue from defaulters; and, for the purpose of recovering the -- accounts, records ~~and~~ or other property appertaining to the Village Panchayet, may issue a search warrant and exercise all such powers with respect thereto as may be lawfully exercised by a Magistrate under the provisions of Chapter VII of the Code of Criminal procedure, 1904.

Persons knowing where such moneys, etc., are concealed bound to give ~~information~~ information.

(4). Every person knowing where any moneys, accounts, records or other property appertaining to a Village Panchayet are concealed shall be bound to give information of the same to the Amildar, ~~or the Deputy Amildar as the case may be.~~

8/3/30

Statement of the general principles of a Bill t provide for the recovery of Money, accounts, records o other property appertaining to Panchayets from Panchay dars or Chairmen.

The Mysore Village Panchayet Regulation does not contain provision for the recovery of money, accounts, records or other property appertaining to Panchayets from Panchayetdars or Chairmen who do not pay up the moneys or deliver up the papers when occasion might -- require them to do so. The necessity for such a provi sion has been brought to the notice of Government. Th Bill further to amend the Village Panchayet Regulation on the lines of Se ctions 24 and 25 of the Land Revenu Code and Section 176 of the Indian Penal Code is place before the Representative Assembly for an expression o their views.

M/4

SCHEDULE A.

Form of warrant to be issued by the Deputy Commissioner under Section 61 A.

(Seal)

To

The Officer in charge of the Civil Jail at .... whereas A.B. of ..... was on the ..... day of ..... 19 , ordered by ..... to (here enter the substance of the demand made) and wheras the said A.B. has neglected to comply with the said order and it has therefore been -- directed under the provisions of Sub-section (2) of Section 61 A of the Regulation, that he be imprisioned in the Civil Jail until he obey the said order or until he obtain his discharge under the provisions of ~~Section 34 B of the said Regulation~~ the proviso to the said Sub-section; you are hereby required to receive the said A.B. into the Jail under your charge and to carry the aforesaid order into execution --- according to Law.

Dated day of 19 Signature.

Statement of objects and reasons.

The Mysore Village Panchayet Regulation does not contain any provision for the recovery of moneys, accounts, records or other property appertaining to Panchayets from Panchayetdars or Chairman who do not pay up the moneys or deliver up the papers when -- occasion might require them to do so. The necessity for such a ~~person~~ provision has been brought to the notice of Government. It is therefore proposed to amend the Village Panchayet Regulation on the lines of Sections 24 and 25 of the Land Revenue Code and Sections ~~and~~ 176 of the Indian Penal Code, ~~which contain necessary provisions for recovery of moneys~~, --- papers and other property in such cases.

K.M.R
8/2.

NOTIFICATION.

Notification No. 2995, *dated the* 18*th November* 1930.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Village Panchayet Regulation, 1926 is published for general information with the statement of objects and reasons.

By Order,
P. MAHADEVAYYA,
Ex-officio *Secretary*, *Legislative Council.*

A Bill further to amend the Mysore Village Panchayet Regulation, 1926.

Whereas it is expedient further to amend the Mysore Village Panchayet Regulation, 1926; It is hereby enacted as follows :— Preamble.

1. This Regulation may be called the Mysore Village Panchayet (Amendment) Regulation, 19 . Short title.

2. To sub-section (2) of section 1, the following provisio shall be added :— Amendment of section 1.

" Provided that the Government may, by notification in the Official Gazette, exclude from the operation of this Regulation any village forming part of a local area under the administration of a Sanitary Board constituted under the provisions of the Mysore Mines Regulation, 1906."

3. In section 3, for clause (10) the following clause shall be substituted :— Amendment of Section 3.

" (10) " Village " means a local area recognised by Government as a village for purposes of collecting the land revenue and includes a *dakle* village and an alienated village, but does not include a local area which is constituted as a municipality or a village which is, under the proviso to sub-section (2) of section 1, excluded from the operation of this Regulation."

a

4. In section 15, sub-section (2) of section 38, section 47 and sub-section (4) of section 54, for the word "Government" the words "Revenue Commissioner" shall be substituted.

5. In sub-section (1) of section 35, the words "and loans raised by the Panchayet" shall be inserted between the word "Government" when it occurs for the second time and the words "shall be paid."

Addition of a new section 40 A.

6. The following section shall be inserted after section 40:—

"40A. Subject to such rules as may be prescribed, a Village Panchayet may raise loans for carrying out works of permanent utility within the area under its control. The amounts so borrowed shall be a first charge upon its revenues."

Substitution of a new section to section 43.

7. For section 43, the following section shall be substituted:—

"43 (1) The Revenue Commissioner shall be the Chief Controlling Authority in respect of all matters relating to the adminstration of Panchayets.

(2) The Government may, by notification in the Official Gazette, delegate to the Revenue Commissioner all or any of their powers under this Regulation except the power to make rules and the powers vested in them under sections 37 and 45."

Substitution of a new sub-section for section 55 (2).

8. For sub-section (2) of section 55, the following sub-section shall be substituted:—

"(2) Appeals to the Revenue Commissioner when expressly allowed under this Regulation shall be preferred within ninety days of the date of publication or communication of the order of the Deputy Commissioner."

Substitution of a new sub-section for section 56 (3).

9. For sub-section (3) of section 56, the following sub-section shall be substituted:—

"(3) If a dispute arises between two or more Panchayets in different Districts, the matter shall be referred to the Revenue Commissioner for decision."

Addition of a new section 58 A.

10. After section 58, the following section shall be added:—

"58 A (1) When any matter has been decided by the Revenue Commissioner on appeal under section 15, sub-section (2) of section 38, section 47 or sub-section (4) of section 54, or on reference under sub-section (3) of section 56, the Government may, for the purpose of satisfying themselves as to the correctness, legality or propriety of his order, call for the connected records and

may in doing so direct that, pending the examination of the records, such order be held in abeyance.

(2) On examining the records, the Government may reverse or modify the order of the Revenue Commissioner, as they deem fit.

Addition of a new section 61 A.

11. After section 61, the following new sections shall be inserted :—

"61A. (1) Every person in possession of moneys, accounts records or other property appretaining to a Village Panchayet shall, on the requisition in writing of the Amildar, forthwith hand over such moneys or deliver up such accounts, records or other property to the Chairman of the Panchayet or other person authorised in the requisition to receive the same.

(2) If any such person fails, without sufficient cause, to comply with the requisition made as aforefaid, the Deputy Commissioner of the District may cause him to be apprehended and may issue a warrant in the form of Schedule A, authorising his confinement in the Civil Jail till he discharges the moneys or delivers up the accounts, records or other property demanded from him.

Provided that no person shall be detained in confinement by virtue of such warrant for a period longer than one calendar month.

(3) The Deputy Commissioner of the District may also take proceedings to recover any money due by such person in the same manner and subject to the same rules as are laid down in the Mysore Land Revenue Code, 1888, for the recovery of arrears of land revenue from defaulters; and for the purpose of recovering the accounts, records or other property appertaing to the Village Panchayet, may issue a search warrant and exercise all such powers with respect thereto as may be lawfully exercised by a Magistate under the previsions of Chapter VII of the Code of Criminal Procedur, 1904.

(4) Every person knowing where any moneys, accounts, records or other property appertaing to a Village Panchayet are concealed, shall be bound to give information of the same to the Amildar.

SCHEDULE A.

Form of warrant to be issued by the Deputy Commissioner under section 61A.

(Seal.)

To

The Officer in charge, the Civil Jail at.....

Whereas A. B. of.....was on the..... day of.....193 , order by..... to (here enter substance of the demand made) and whereas the said A. B. has neglected to comply with the said order and it has therefore been directed under the provisions of sub-section (2) of section 61A of the Regulation, that he be imprisoned in the Civil Jail until he obey the said order or until he obtain his discharge under the provisions of the proviso to the said sub-section; you are hereby required to receive the said A. B. into the Jail under your charge and to carry the aforesaid order into execution according to law.

Signature.

Dated day of 193

Statement of Objects and Reasons.

In order to provide for the growing needs of the Village Panchayets and to provide more adequately for their proper supervision and control, an amendment of the Village Panchayet Regulation has been considered necessary. The main provisions are the following:—

(1) Exclusion of certain Villages in the Kolar Gold Fields Sanitary Board area from the operation of the Regulation.

(2) Empowering Panchayets to raise loans.

(3) Appointment of the Revenue Commissioner as the Chief controlling authority for Panchayets

(4) Delegation of powers of Government to the Revenue Commissioner.

(5) Empowering Revenue Commissioner to decide disputes between Panchayets in different Districts and to hear appeals from the orders of the Deputy Commissioners.

(6) Recovery of money, accounts, records or property appertaining to Panchayets.

Notes on Clauses.

There are some difficulties in constituting Village Panchayets in the Kolar Gold Fields area. This area comprises a number of villages to all of which both the Village Panchayet Regulation and the Notification under Regulation, IV of 1906, laying down rules for the special sanitation of that area, apply. Strictly according to the law, Village Panchayets have to be constituted for the urban areas included in Kolar Gold Fields area also. But such a step would be impracticable. The existing distinction between areas directly administered by the Board and areas administered by Panchayets under the general control of the Board is both useful and necessary. Clauses 2 & 3.

This empowers Village Panchayets to raise loans for undertaking important works without waiting a long time for accumulating the required amount out of the annual income. Clauses 5 & 6.

Though under section 43 of the Village Panchayet Regulation, the Deputy Commissioners have been appointed as the Chief Controlling authorities in all matters relating to the administration of Panchayets, Government have considered it expedient that the Revenue Commissioner should be closely associated with the development of Panchayet work in order to ensure co-ordination and progress on uniform lines and directed in Government Order No. L. 5091-5144—L. B. 26-26-143, dated 31st January 1927, that communications from the Deputy Commissioners to Government in all important matters relating to Panchayets should pass through the Revenue Commissioner, in order that the Government might have the benefit of the considered views of an officer who is in touch with Panchayet administration in the whole State. The arrangement has worked well and it is considered desirable to regularise it by appointing the Revenue Commissioner as the Chief Controlling Authority in order that he may guide the Deputy Commissioners in all matters relating to the administration of Panchayets. Clause 7.

This delegates to the Revenue Commissioner the powers reserved to Government by the Regulation to such Clause 8.

extent as may be found necessary from time to time except the following :—

(*a*) Power to make rules (Section 65)

(*b*) Power to sanction levy of optional taxes (Section 37), and

(*c*) Power to confer on the holders of alienated villages all or any of the powers of Amildars under the Regulation (Section 45).

Clause 9. This empowers the Revenue Commissioner to decide disputes between Panchayets in different districts and to hear appeals from the orders of the Deputy Commissioners in the following cases :—

(*a*) Removal of Chairman under Section 15.

(*b*) Requisitions for increasing the income of Panchayets under Section 38.

(*c*) Requistion to perform duties under Section 47, and

(*d*) Supersession of Panchayets under Section 54.

Clause 10. Power is reserved to the Government to call for records and reverse or modify the Revenue Commissioner's Orders passed in appeal.

Clause 11. The Mysore Village Panchayet Regulation does not contain provision for the recovery of moneys, accounts, records or other property appertaining to Panchayets from Panchayetdars or Chairman who do not pay up the moneys or deliver up the papers or other property when occasion might require them to do so. The necessity for such a provision has been brought to the notice of Government. This necessitates an amendment to the Village Panchayet Regulation on the lines of Sections 24 and 25 of the Land Revenue Code and Section 176 of the Indian Penal Code.

2972

App. F. III—2]

General and Revenue Secretariat | File No. 5'0 of 1929.

Serial No.	
	The Revenue Commr may if approved be requested unofficially to furnish the information referred to in para 7 supra (9) and particulars of which a D.O. letter is [illegible]
	(9) Draft D.O. to the Rev Commr is submitted
4	To, The Revenue Commr No. L 4826 d 26-12-29 Requests to state the amount now available under the head "Rural Reconstruction Contingencies"
GEN. Secs A 30/1/30 T.T.	Letter No. C 412/29-30 dated 3rd January 1930 from the Revenue Commr submitting information called for re. the amount available under "Rural Reconstruction Contingencies Grants"
P.W.D.	(10) It is stated that no amount is available under "Rural Reconstruction Contingent Grants" to meet the expenditure in question and the Govt is proposed to be met out of the Savings effected by the abolition of the A.D. Inspectors in Dolai and Ethiadhoo Districts (vide para 2 of the P.W.D.)

Note—Contn. Sheet

WD 066—GPB—80,000—26-7-29

VILLAGE PANCHAYET BILL.

Summary of discussion in Legislative Council of December 1930.

* * * *

Section 1.

Mr. C. Reddy.

1. Effective representation of villages on ~~Municipal~~ Sanitary Board.

2. Ability of people to pay the tax to be imposed to be considered.

3. Arrangement has to be made for exclusion of villages proper which lie outside the Mining area.

Mr. Girimaji Rao

4. Select Committee to consider

   (a) framing the wording to protect villages outside Mining area;

   (b) how to keep Village Panchayets working and attending to minor affairs.

   (c) how to leave freedom to Sanitary Board to attend to affairs which can be best attended to by that body

Section 10. Mr. Siddaiya.

1. The word "forthwith" in sub-clause(1) may be modified so as to allow reasonable time for having over charges.

2. The words " without sufficient cause" may be changed into "with sufficient and reasonable cause."

Mr. C. S. Balasundaram Iyer.

3. Reasonable notice to be given before one is apprehended and a warrant is issued.

4. Whether any automatic procedure may be adopted instead of confinement and what suitable safeguards may be adopted require consideration.

Mr. Venkatappa.

5 (a) For what purposes the records are necessary may be specified.

(b) Time must be given to produce records.

6. What is the necessity to retain sub-clause (2)

Mr. Mallappa.

(a) There ought not to be immediate arrest

(b) There ought to be a show cause notice before warrant is issued.

8. The clause may be made clear as to/when the papers may be called for and to whom they have to be handed over.

Drafting may be improved to make it clear that when a man cease to have office he must not be custodian of the records.

Discussion at R's A. in below 430

Mr. H.C. Dasappa also referred to a third point in regard to the power of the Deputy Commissioner to send a Chairman to Civil jail for failure to hand over moneys, papers, and records on the statement of the Amildar. He was of opinion that this power should not be exercised until due notice was given to the chairman concerned and it was served upon his person. He also said that there should be a summary inquiry before such a drastic action was taken.

The First Member of Council said that due provision for all these would be made in the rules.

NOTIFICATION.

Notification No. 2995, *dated the* 18*th November* 1930.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Village Panchayet Regulation, 1926 is published for general information with the statement of objects and reasons.

By Order,
P. MAHADEVAYYA,
Ex-officio *Secretary, Legislative Council.*

A Bill further to amend the Mysore Village Panchayet Regulation, 1926.

Whereas it is expedient further to amend the Mysore Village Panchayet Regulation, 1926; It is hereby enacted as follows :— Preamble.

1. This Regulation may be called the Mysore Village Panchayet (Amendment) Regulation, 19 . Short title.

2. To sub-section (2) of section 1, the following provisio shall be added :— Amendment of section 1.

"Provided that the Government may, by notification in the Official Gazette, exclude from the operation of this Regulation any village forming part of a local area under the administration of a Sanitary Board constituted under the provisions of the Mysore Mines Regulation, 1906."

3. In section 3, for clause (10) the following clause shall be substituted :— Amendment of Section 3.

"(10) "Village" means a local area recognised by Government as a village for purposes of collecting the land revenue and includes a *dakle* village and an alienated village, but does not include a local area which is constituted as a municipality or a village which is, under the proviso to sub-section (2) of section 1, excluded from the operation of this Regulation."

a

4. In section 15, sub-section (2) of section 38, section 47 and sub-section (4) of section 54, for the word "Government" the words "Revenue Commissioner" shall be substituted.

5. In sub-section (1) of section 35, the words "and loans raised by the Panchayet" shall be inserted between the word "Government" when it occurs for the second time and the words "shall be paid."

Addition of a new section 40 A.

6. The following section shall be inserted after section 40:—

"40A. Subject to such rules as may be prescribed, a Village Panchayet may raise loans for carrying out works of permanent utility within the area under its control. The amounts so borrowed shall be a first charge upon its revenues."

Substitution of a new section for section 43.

7. For section 43, the following section shall be substituted:—

"43 (1) The Revenue Commissioner shall be the Chief Controlling Authority in respect of all matters relating to the adminstration of Panchayets.

(2) The Government may, by notification in the Official Gazette, delegate to the Revenue Commissioner all or any of their powers under this Regulation except the power to make rules and the powers vested in them under sections 37 and 45."

Substitution of a new sub-section for section 55 (2).

8. For sub-section (2) of section 55, the following sub-section shall be substituted:—

"(2) Appeals to the Revenue Commissioner when expressly allowed under this Regulation shall be preferred within ninety days of the date of publication or communication of the order of the Deputy Commissioner."

Substitution of a new sub-section for section 56 (3).

9. For sub-section (3) of section 56, the following sub-section shall be substituted:—

"(3) If a dispute arises between two or more Panchayets in different Districts, the matter shall be referred to the Revenue Commissioner for decision."

Addition of a new section 58 A.

10. After section 58, the following section shall be added:—

"58 A. (1) When any matter has been decided by the Revenue Commissioner on appeal under section 15, sub-section (2) of section 38, section 47 or sub-section (4) of section 54, or on reference under sub-section (3) of section 56, the Government may, for the purpose of satisfying themselves as to the correctness, legality or propriety of his order, call for the connected records and

may in doing so direct that, pending the examination of the records, such order be held in abeyance.

(2) On examining the records, the Government may reverse or modify the order of the Revenue Commissioner, as they deem fit.

11. After section 61, the following new sections shall be inserted :— Addition of a new section 61 A.

"61A. (1) Every person in possession of moneys, accounts records or other property appretaining to a Village Panchayet shall, on the requisition in writing of the Amildar, forthwith hand over such moneys or deliver up such accounts, records or other property to the Chairman of the Panchayet or other person authorised in the requisition to receive the same.

(2) If any such person fails, without sufficient cause, to comply with the requisition made as aforefaid, the Deputy Commissioner of the District may cause him to be apprehended and may issue a warrant in the form of Schedule A, authorising his confinement in the Civil Jail till he discharges the moneys or delivers up the accounts, records or other property demanded from him.

Provided that no person shall be detained in confinement by virtue of such warrant for a period longer than one calendar month.

(3) The Deputy Commissioner of the District may also take proceedings to recover any money due by such person in the same manner and subject to the same rules as are laid down in the Mysore Land Revenue Code, 1888, for the recovery of arrears of land revenue from defaulters; and for the purpose of recovering the accounts, records or other property appertaing to the Village Panchayet, may issue a search warrant and exercise all such powers with respect thereto as may be lawfully exercised by a Magistate under the previsions of Chapter VII of the Code of Criminal Procedur, 1904.

(4) Every person knowing where any moneys, accounts, records or other property appertaing to a Village Panchayet are concealed, shall be bound to give information of the same to the Amildar.

(5) An appeal shall lie to the R.C.

SCHEDULE A.

Form of warrant to be issued by the Deputy Commissioner under section 61A

(Seal.)

To

The Officer in charge, the Civil Jail at.....

Whereas A. B. of..... .....was on the..... day of.....193 , order by..... to (here enter substance of the demand made) and whereas the said A. B. has neglected to comply with the said order and it has therefore been directed under the provisions of sub-section (2) of section 61A of the Regulation, that he be imprisoned in the Civil Jail until he obey the said order or until he obtain his discharge under the provisions of the proviso to the said sub-section; you are hereby required to receive the said A. B. into the Jail under your charge and to carry the aforesaid order into execution according to law.

Signature.

Dated day of 193 .

Statement of Objects and Reasons.

In order to provide for the growing needs of the Village Panchayets and to provide more adequately for their proper supervision and control, an amendment of the Village Panchayet Regulation has been considered necessary. The main provisions are the following:—

(1) Exclusion of certain Villages in the Kolar Gold Fields Sanitary Board area from the operation of the Regulation.

(2) Empowering Panchayets to raise loans.

(3) Appointment of the Revenue Commissioner as the Chief controlling authority for Panchayets.

(4) Delegation of powers of Government to the Revenue Commissioner.

(5) Empowering Revenue Commissioner to decide disputes between Panchayets in different Districts and to hear appeals from the orders of the Deputy Commissioners.

(6) Recovery of money, accounts, records or property appertaining to Panchayets.

Notes on Clauses.

There are some difficulties in constituting Village Panchayets in the Kolar Gold Fields area. This area comprises a number of villages to all of which both the Village Panchayet Regulation and the Notification under Regulation, IV of 1906, laying down rules for the special sanitation of that area, apply. Strictly according to the law, Village Panchayets have to be constituted for the urban areas included in Kolar Gold Fields area also. But such a step would be impracticable. The existing distinction between areas directly administered by the Board and areas administered by Panchayets under the general control of the Board is both useful and necessary. Clauses 2 & 3.

This empowers Village Panchayets to raise loans for undertaking important works without waiting a long time for accumulating the required amount out of the annual income. Clauses 5 & 6.

Though under section 43 of the Village Panchayet Regulation, the Deputy Commissioners have been appointed as the Chief Controlling authorities in all matters relating to the administration of Panchayets, Government have considered it expedient that the Revenue Commissioner should be closely associated with the development of Panchayet work in order to ensure co-ordination and progress on uniform lines and directed in Government Order No. L. 5091-5144—L. B. 26-26-143, dated 31st January 1927, that communications from the Deputy Commissioners to Government in all important matters relating to Panchayets should pass through the Revenue Commissioner, in order that the Government might have the benefit of the considered views of an officer who is in touch with Panchayet administration in the whole State. The arrangement has worked well and it is considered desirable to regularise it by appointing the Revenue Commissioner as the Chief Controlling Authority in order that he may guide the Deputy Commissioners in all matters relating to the administration of Panchayets. Clause 7.

This delegates to the Revenue Commissioner the powers reserved to Government by the Regulation to such Clause 8.

extent as may be found necessary from time to time except the following :—

(*a*) Power to make rules (Section 65)

(*b*) Power to sanction levy of optional taxes (Section 37), and

(*c*) Power to confer on the holders of alienated villages all or any of the powers of Amildars under the Regulation (Section 45).

Clause 9. This empowers the Revenue Commissioner to decide disputes between Panchayets in different districts and to hear appeals from the orders of the Deputy Commissioners in the following cases :—

(*a*) Removal of Chairman under Section 15.

(*b*) Requisitions for increasing the income of Panchayets under Section 38.

(*c*) Requistion to perform duties under Section 47, and

(*d*) Supersession of Panchayets under Section 54.

Clause 10. Power is reserved to the Government to call for records and reverse or modify the Revenue Commissioner's Orders passed in appeal.

Clause 11. The Mysore Village Panchayet Regulation does not contain provision for the recovery of moneys, accounts, records or other property appertaining to Panchayets from Panchayetdars or Chairman who do not pay up the moneys or deliver up the papers or other property when occasion might require them to do so. The necessity for such a provision has been brought to the notice of Government. This necessitates an amendment to the Village Panchayet Regulation on the lines of Sections 24 and 25 of the Land Revenue Code and Section 176 of the Indian Penal Code.

3506-

App. F. III—2]

General and Revenue Secretariat | V P File No. S.O of 1929

Serial No.	
7	in G.O. No. L 1041-50/V P 25-28-6 dated 6th Aug 29. It is not known ~~what sum is~~ ~~required for the object of abolishing~~ ~~the Inspectorships~~ ~~have been abolished and~~ ~~for~~ what amount would be available to meet the expenditure. If approved, information may be called for on ~~these~~ points before any further action is taken in the matter. Submitted for orders with reference to para no 7 & 9 supra 14/1/30 (11) 15/1 — 16/1 (12) V 19/1 (13) Draft d.o. 20/1 (14) Draft d.o. submitted 14/1/30 (15) 21/1
6	To, The Revenue Commr in Mysore No. L 5046 of 25.1.30 Enquires what amount would be available out of the savings effected by the abolition of V.P. Inspectors in Kolar and Chikballapur as per Letter No. C 412/29-30 dated 12/13th March 30 from the Revenue Commr in Mysore submitting information in re. the savings effected by the abolition of V.P. Inspectors in Kolar & Chikballapur.
7	

CHIEF SECRETARY. 16 JAN. 1930

GEN. SEC. 20 JAN. 1930. L. S. G. BRANCH

Note—Contn. Sheet

VILLAGE PANCHAYET BILL.

Summary of discussion in Legislative Council of December 1930.

* * * *

Section 1.

Mr. C. Reddy.

1. Effective representation of villages on ~~Municipal~~ Sanitary Board.

2. Ability of people to pay the tax to be imposed to be considered.

3. Arrangement has to be made for exclusion of villages proper which lie outside the Mining area.

Mr. Girimaji Rao

4. Select Committee to consider

   (a) framing the wording to protect villages outside Mining area;

   (b) how to keep Village Panchayets working and attending to minor affairs.

   (c) how to leave freedom to Sanitary Board to attend to affairs which can be best attended to by that body

Section 5

Loans.

Mr. C. S. Balasundaram Iyer

1. The rules may provide safeguards to see that Panchayets do not behave extravagantly and raise loans for unnecessary or useless purposes.

2. For the present Government to give loans

3. Co-operative Societies or Banks may be empowered to give loans.

Section 58

Mr. S. P. Rajagopalachari

5. Whether Section 58 as it stands will serve all our purposes or whether it requires any modification has to be considered.

Section.		Messrs. Venkatappa and Mallappa.
Clause 9	Appeals.	1. Provision for a second appeal to Government to be made instead of mere revision of orders.

Section 10. Mr. Siddaiya.

1. The word "forthwith" in sub-clause(1) may be modified so as to allow reasonable time for naming over charges.

2. The words " without sufficient cause" may be changed into "with sufficient and reasonable cause."

Mr. C. S. Balasundaram Iyer.

3. Resonable notice to be given before one is apprehended and a warrant is issued.

4. Whether any automatic procedure may be adopted instead of confinement and what suitable safeguards may be adopted require consideration.

Mr. Venkatappa.

5 (a) For what purposes the records are necessary may be specified.

(b) Time must be given to produce records.

6. What is the necessity to retain sub-clause (2)

Section 10

Mr. Mallappa.

(a) There ought not to be immediate arrest

(b) There ought to be a show cause notice before warrant is issued.

8. The clause may be made clear as to when the papers may be called for and to whom they have to be handed over.

Drafting may be improved to make it clear that when a man cease to have office he must not be custodian of the records.

V. P. Bria

Discussion at the R.A in brief

Mr. H.C. Dasappa also referred to a third point in regard to the power of the Deputy Commissioner to send a Chairman to Civil jail for failure to hand over moneys, papers, and records on the statement of the Amildar. He was of opinion that this power should not be exercised until due notice was given to the chairman concerned and it was served upon his person. He also said that there should be a summary inquiry before such a drastic action was taken.

The First Member of Council said that due provision for all these would be made in the rules.

V. P. Bill

Discussion on the Bill between 4 & 5

The Dewan replied that necessary rules would be framed as to how the villages --- could get all the facilities that they wanted while remaining under the Sanitary Board and that draft rules in that behalf would be placed before the Select Committee.